



# How to Handle Divorce





بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allah, The Most Gracious, The Most Merciful





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Assalamu'alaikum wa rahmatullahi wa barakatuhu,

We pray that this message reaches you  
in good health and imaan.

On behalf of our AMAU Academy team, we would like  
to present to you these compiled notes that we have  
prepared to make your journey with us a lot easier.

Our notes are compiled by the AMAU Admin team  
and have not been comprehensively checked  
by a teacher.

If you find any errors or corrections that need  
to be made, kindly inform us via our email  
**helpdesk@amauacademy.com**

May Allah make our paths toward seeking  
beneficial knowledge easy and kindle our hearts  
with sincerity and gratefulness  
towards Him.

Jazakumullahu Khayran



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## Glossary



جل جلاله | Jalla Jalāluhu  
**Allah the Most Exalted**

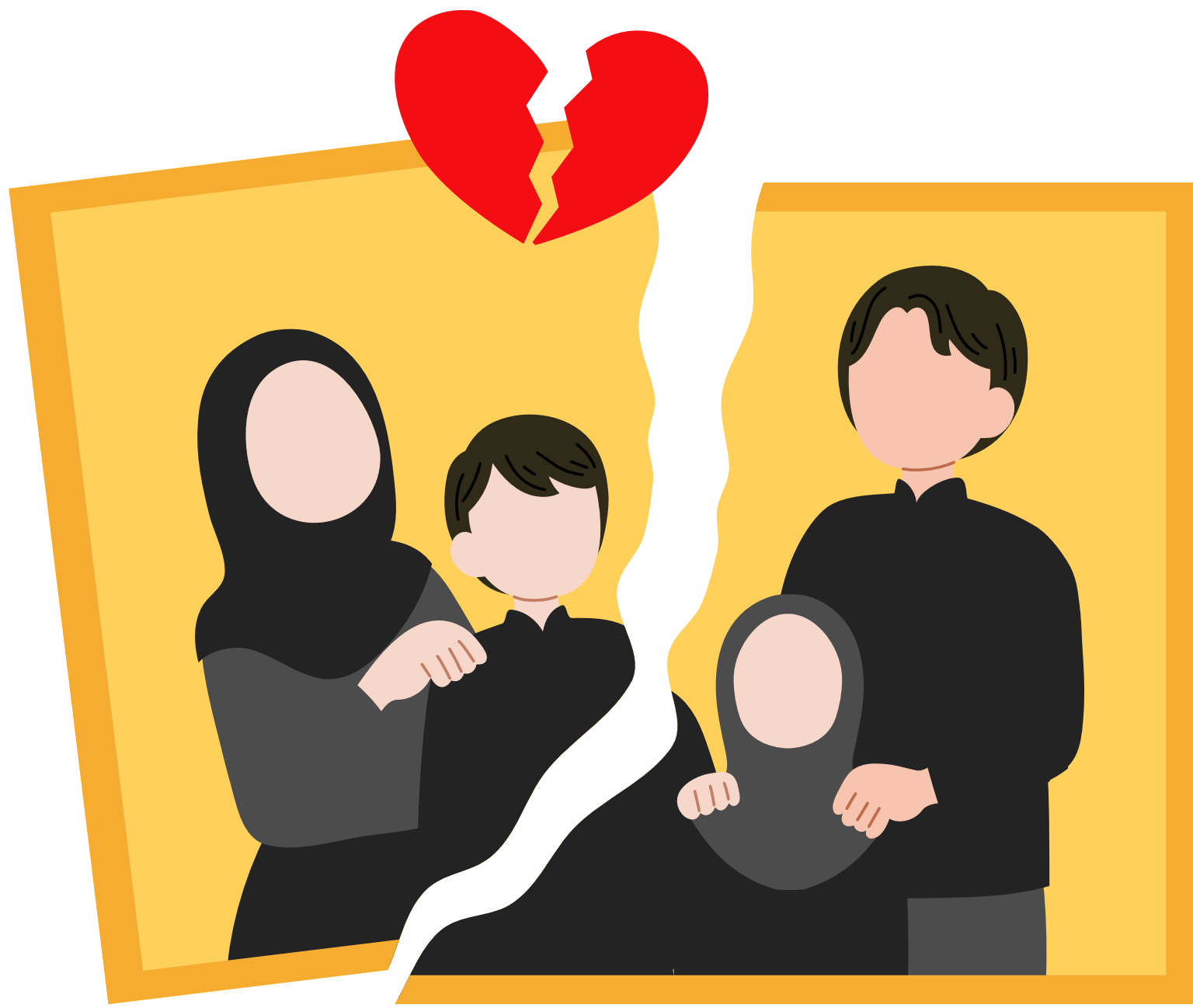


صلى الله عليه وسلم | Sallāllāhu Alayhi Wa Sallam  
**Peace and blessings of Allah be upon him**

# When Should Divorce Occur?

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*Chapter One*



**Divorce** is a sensitive topic.  
A lot of people in the community  
are **oppressed** through it.

People adopt extreme stances when it comes to divorce:

- 1 **Some perceive it as a crime**
- 2 **Others see it as an easy solution to every relationship problem**

Divorce is neither Haraam nor Mustahabb, but its occurrence or need depends from situation to situation. It has been legislated by Allah ﷻ - the One who created us and knows our needs and challenges better than we do.

Therefore, in some cases, it can be Waajib, whereas in others, it can be Mustahabb or Mubaah, and so on.

**A**

### **Are People Who Divorce or Are Divorced Considered Bad?**

Divorce is known to have occurred among the companions of the Prophet ﷺ.

For instance, it is known that Zayd ibn Harithah رضي الله عنه divorced Zaynab bint Jahsh رضي الله عنها, who was later married to our Prophet ﷺ.

***This indicates that neither the person who initiates a divorce nor the individual who has undergone a divorce should be deemed as bad or flawed.***

**B**

### **When Should Divorce Occur?**

It often occurs when two righteous individuals realise they are not compatible. Despite their efforts to fulfil each other's rights, they may end up unintentionally oppressing each other.

Divorce may also arise when a spouse, due to specific negative habits or actions such as a major sin, deserves separation from the husband or wife.

# Things to Consider Before Divorce

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*Chapter Two*



Before deciding to go ahead with divorce, one should have a proper discussion with one's spouse.

They should try to pinpoint the cause of the problem and look for solutions other than divorce.

For instance, if a person feels that he or she is not getting enough affection from the spouse, they can try to solve the problem by means of communication.

Concerns such as a person expressing dissatisfaction with the lack of care or attention from their spouse can often be addressed through open communication, expressing feelings, and collaborative efforts from both the husband and the wife. Contemplating divorce in such cases may not be a rational decision.

However, a BIG challenge arises when, within five minutes of their discussion, they start arguing and blaming each other for the issue.

***Each individual seeks their rights and often forgets about fulfilling the rights of their spouse.***

## **A SHOULD THEY CONSULT THEIR PARENTS?**

**The couple should **NOT** get their parents involved in such matters.**

This is because parents often end up worsening the situation by exaggerating the issue.

Rather, the couple should seek the advice of a wise and knowledgeable person. Each spouse should present his or her situation to such a counsellor while the other spouse is made to listen. This is done so that each person can realise what his or her partner is going through.

The next factor the couple should consider is intimacy. Intimacy in a marital relationship provides insights into its current status. Therefore, taking it into consideration helps a couple make informed decisions about their relationship.

Another point worth considering is that whenever a solution is presented to the couple, they are impatient in practising it.

A husband might try an approach to fix the problem. However, if he doesn't observe any improvement after two weeks, he may grow disheartened and opt to abandon efforts to resolve the problem, persisting in seeking a divorce.

One has to be patient and give time for an approach to work.

If a certain approach does not work, one should try other approaches.

# How to Divorce According to the Sunnah

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*Chapter Three*

# Talaaq (divorce) has consequences.

If you are finally contemplating divorce, you must know that it means separation between you and your spouse.

For this reason, you **MUST** consider a revocable divorce. This is from the Sunnah.

When you divorce your wife, do so in a state of purity. It is Haram to divorce a woman during her menstrual cycle if you have engaged in intercourse with her in that cycle.

Therefore, you have to wait until she gets her menses. Once she becomes pure from her menses and enters a new monthly cycle, you can divorce her.

But remember not to get intimate in the new, pure monthly cycle if you intend to divorce her.

**Side benefit:** The Sharee'ah has set down these instructions for you to teach you to wait and be patient with regard to this matter.

- 1 **So, suppose she entered a new monthly cycle and has become pure. You did not get intimate with her. You say the words of the divorce to her in this state of purity.**
- 2 **After the divorce, she should not return to her parents. Rather, she stays with you in your house until she finishes 3 monthly cycles. She does not cease to be your wife until this period finishes with no revocation of the divorce.**
- 3 **During these monthly cycles, you are still husband and wife. This period is for you both to reconsider your decision. You may start to realise the importance of your marriage, begin to make compromises and sacrifices, incorporate changes in your attitude, and so on.**

## A Mistakes

- **A lot of people realise their mistakes when it is too late and the period has already finished.**
- **Others, when their divorce becomes irrevocable, go about talking to different scholars and Muftis, making excuses and seeking a Fatwa that allows them to reunite with their wives**
- **Some men, instead of being patient and open to reconsideration, opt for an irrevocable Talaaq.**

Divorce should never be the first thing to consider when seeking a solution to a marital issue. That said, it sometimes helps people change and makes them improve themselves. But even in such cases where divorce becomes a necessity, it is best to opt for revocable Talaaq.

B

### An Advice

Never choose divorce at the suggestion of another individual - even if they are your parents. It is because when the Talaaq becomes irrevocable, and you are separated from your spouse and left alone, nobody will come to benefit you.

Even the ones who promised to find you a better spouse will abandon you as soon as your marital relationship ends.

The decision to divorce should be entirely your own, and you must take responsibility for it.



# The Aftermath of Divorce

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*Chapter Four*

Many individuals seeking divorce become so consumed by their disputes with their spouses that they often fail to consider the consequences of divorce.

# The Children

If you have a child, understand that the harmful impact of your divorce on him or her is unavoidable, even in cases where the separation is deemed necessary. Therefore, a person must weigh the benefits and harms of his decision wisely.

This child will grow up knowing that his parents divorced. It will impact him differently in every phase of his life - be it childhood, adolescence or adulthood. He may experience emotional challenges and may even attribute them to the divorce.

He may lock his emotions up within himself, leading to frequent, seemingly unexplained bouts of crying. However, the underlying cause of these struggles is likely to be the divorce.

Therefore, it is a must to be aware of these consequences and weigh the benefits and harms of the decision to divorce.

# Emotional Scars

There have been cases wherein a man could not bear to be in a relationship with his spouse for a single moment.

About a year later, he would get emotional thinking about his wife and confess he makes du’aa for her and misses her.

This illustrates that relationships and individuals are not entirely good or purely evil. Despite the challenges one experiences in a failed marriage, there may be cherished moments in it that a person continues to reminisce about, especially after the separation.

A person who goes through a divorce is likely to experience emotional pain and may find themselves longing for their former spouse - a common occurrence in many cases.

These feelings may persist even after a person remarries following a divorce. This is often because individuals may not fully realise that every person possesses both positive and negative qualities.

This is why the Prophet ﷺ said:

1

لَا يَفْرُكُ مُؤْمِنٌ مُؤْمِنَةً إِنْ كَرِهَ مِنْهَا خُلُقًا رَضِيَ مِنْهَا آخَرَ

**A believing man should not hate a believing woman; if he dislikes one of her characteristics, he will be pleased with another.**

Sahih Muslim 1468b

When fixated on the idea of divorce, individuals often focus solely on the negative qualities of their spouses. Once they separate and marry someone new, they begin to compare the two.

They erroneously assume that their next spouse will embody the positive qualities of their former partner along with more desirable traits.

They overlook the reality that their new spouse is also likely to have some negative traits. Consequently, when they do not find the goodness of their previous spouse in the current one, they experience heartbreak and yearn for their former partner.

## The Traps of Shaytaan

Shaytaan whispers to a person, “You are having disputes with your spouse on a daily basis. If you divorce her, you will find someone who is more beautiful and righteous.

Shaytaan whispers to people things that they like or want to hear. He paints an unrealistic picture for them of what will transpire after the divorce.

Wise people should beware of such traps. They should refrain from comparing their spouses to others, as this practice can detrimentally impact their marital lives.

# Are Divorcees Different From Those Who Have Never Married?

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*Chapter Five*



People who have been previously married are different from those who have never been married.

The Prophet ﷺ acknowledged this in the following hadith:

1

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، قَالَ تَزَوَّجْتُ امْرَأَةً فَأَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ " أَتَزَوَّجْتَ يَا جَابِرُ ". فَقُلْتُ نَعَمْ. فَقَالَ " بِكَرًا أَمْ نَيْبًا ". فَقُلْتُ لَا بَلْ نَيْبًا . فَقَالَ " هَلَا جَارِيَةً تُلَاعِبُهَا وَتُلَاعِبُكَ ". فَقُلْتُ يَا رَسُولَ اللَّهِ إِنَّ عَبْدَ اللَّهِ مَاتَ وَتَرَكَ سَبْعَ بَنَاتٍ أَوْ تِسْعًا فَجِئْتُ مِمَّنْ يَقُومُ عَلَيْهِنَّ. قَالَ فَدَعَا لِي.

"I married a woman and went to the Prophet, he said: 'O Jabir! Have you married?' I said: 'Yes.' He said: 'A virgin or a matron?' I said: 'A matron.' He said: 'Why didn't you marry a young girl, so that you may play with her and she with you?' I said: 'O Messenger of Allah! Abdullah (his father) died and left behind seven - or nine - daughter, so I have brought someone who can look after them.'" (He said:) "So he supplicated for me."

Jami` at-Tirmidhi 1100

Therefore, in general, women or men who may be divorcees or have been previously married often possess:

- **more experience and a deeper understanding of marital life**
- **increased patience**
- **a higher level of maturity**

This may not always be the case, as some people remain immature even after their divorce. It is the righteous people who benefit and learn from their experiences to become better versions of themselves.

Such people are generally better at resolving marital problems.

***A unique thing about divorcees is that they never wish to go through another divorce.***

The experience of divorce changes their outlook completely. They may begin to appreciate their new marital lives. They may also look for a righteous spouse and encourage him or her to increase in goodness. This holds, especially in cases where divorce occurs for valid reasons, such as when the husband is unfaithful or falls short in matters of the Deen.

They may also become more flexible and let go of many conditions for getting married.

They strive to hold onto their spouses and maintain realistic expectations.

They proactively prevent marital disputes by avoiding them in the first place, demonstrating a higher level of protectiveness towards their marriage.

The opposite may also be true in some cases, especially when the divorcee is not a righteous person.

Regardless of the circumstances, one should not dismiss the idea of marrying a divorcee. Many times, people experience divorce due to factors that are not their fault.

# Advice for Those Who Have Gone Through Divorce

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*Chapter Six*

1 Have Good Thoughts About Allah

If you have gone through a divorce, beware of having bad thoughts about Allah ﷻ.

A person might have prayed Istikhaara before getting married. Later, upon divorcing his wife, he may express dissatisfaction, questioning why he prayed to Allah if the marriage did not work out.

In such instances, it's essential to remind the person that the divorce, like the marriage, was decreed by Allah. It may be the best outcome for him, as the divorce could serve as a catalyst for positive changes in his life.

It may help him become a devoted slave of Allah ﷻ, and a compassionate husband to his next wife.

Allah ﷻ may decree divorce as a test for a servant.

One should not see it as the end of life. Allah ﷻ says in the Qur'an:

1

الَّذِي خَلَقَ الْمَوْتَ وَالْحَيَاةَ لِيَبْلُوَكُمْ أَيُّكُمْ أَحْسَنُ عَمَلًا

**'He is the One' Who created death and life in order to test which of you is best in deeds.**

Surah al-Mulk 2

Even the companions رضي الله عنهم experienced divorce, affirming that it does not inherently taint a person's character. Many individuals who initially exhibit blameworthy traits can transform into exceptionally virtuous individuals after going through a divorce.

2 Work on Yourself

.Take a lesson from your divorce. Reflect on and identify your mistakes that contributed to the divorce. Ask yourself:



**“Do I have anger issues?”**



**“Do I fall short in practising the Deen?”**



**“Do I lack good manners?”**



**“Did I fail to give my spouse her rights?”**

Address those mistakes and make a concerted effort to overcome your shortcomings.

Additionally, strive to attain patience and learn how to treat your spouse better.

Most importantly, you should know how to balance between your responsibilities such as work, seeking knowledge, and giving your spouse her rights.

Post-divorce, you should try to re-examine your previous marital relationship and think about the learnings you can take from it to become a better person.

Despite everything, you should remain positive. You never know whether Allah ﷻ has decreed a wonderful spouse for you in the near future. Thus, you should engage in worship and repent to Allah ﷻ, as a lack of worship and connection with our Creator is often a source of many of our problems.

We ask Allah to make marriage and divorce easy for the Muslims and decree what is best for all of us.



To ensure your progress,  
we recommend that you take  
this self evaluation quiz based  
on the notes and video  
series that you have  
just completed.

**Attempt Quiz**

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